

# Notice of Allowability

Application No.

09/444,739

Examiner

Susanna M. Diaz

Applicant(s)

MIKURAK, MICHAEL G.

Art Unit

3623

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Examiner's Amendment agreed to on January 5, 2006.
2. ☒ The allowed claim(s) is/are 118-120.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 7/20/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

*Susanna Diaz*  
**SUSANNA M. DIAZ**  
**PRIMARY EXAMINER**  
*AU 3623*

**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with David Prange (Reg. No. 56,872) on January 5, 2006.

The application has been amended as follows:

Please cancel claims 20-25, 27-28, 47-50, 52-56, 66-71, 73-74, 86-93, and 103-111 without prejudice.

Please enter the following claims:

118. (New) A method carried out by a computerized framework manager to supply collaborative planning comprising:

- (a) furnishing connections to a network for use by a plurality of business entities, wherein the plurality business entities comprise at least one of service providers, vendors, resellers, and manufacturers;
- (b) receiving information via the network from a first business entity of the plurality of business entities, including information relating to a demand of the first business entity for offerings;

Art Unit: 3623

- (c) receiving information via the network from a second business entity of the plurality of business entities, including information relating to a supply of offerings from the second business entity;
- (d) analyzing the supply and the demand for the offerings to plan future supply and demand for the offerings;
- (e) using the network to facilitate planning between the first business entity and the second business entity;
- (f) using the network to provide data access from multiple simultaneous data sources for demand and supply planning;
- (g) using the network to store capacity data wherein the step of storing capacity data using the network includes replication and synchronization capabilities; and
- (h) using the network to conduct reverse inventory management between the first business entity and the second business entity, comprising:
  - using a network to collect data relating to usage and events occurring on at least one service provided by at least one service provider;
  - analyzing the data to determine a status of the service;
  - using the status of the service to predict future demand by the service provider for equipment offering supplied by a manufacturer;
  - determining production capacity, inventory, costs and discounts of manufacturer offerings based on the status of the service; and
  - using the network to suggest changes to the manufacturer offerings inventory of at least one manufacturer based on the status of the service in order to optimize supply and costs of the manufacturer offerings.

119. (New) A computer program embodied on a computer readable medium and executable on a computer for a computerized framework manager to supply collaborative planning comprising:

- (a) a code segment furnishing connections to a network for use by a plurality of business entities, wherein the plurality business entities comprise at least one of service providers, vendors, resellers, and manufacturers;
- (b) a code segment for receiving information via the network from a first business entity for the plurality of business entities, including information relating to a demand of the first business entity for offerings;
- (c) a code segment for receiving information via the network from a second business entity of the plurality of business entities, including information relating to a supply of offerings from the second business entity;
- (d) a code segment for analyzing the supply and the demand for the offerings to plan future supply and demand for the offerings;
- (e) a code segment for using the network to facilitate planning between at least the first business entity and the second business entity;
- (f) a code segment for using the network to provide data access from multiple simultaneous data sources for demand and supply planning;
- (g) a code segment for using the network to store capacity data wherein the step of storing capacity data using the network includes replication and synchronization capabilities; and
- (h) a code segment for using the network to conduct reverse inventory management between the first business entity and the second business entity, comprising:
  - a code segment for using a network to collect data relating to usage and events occurring on at least one service provided by at least one service provider;

Art Unit: 3623

a code segment for analyzing the data to determine a status of the service;

a code segment for using the status of the service to predict future demand by the service provider for equipment offering supplied by a manufacturer;

a code segment for determining production capacity, inventory, costs and discounts of manufacturer offerings based on the status of the service; and

a code segment for using the network to suggest changes to the manufacturer offerings inventory of at least one manufacturer based on the status of the service in order to optimize supply and costs of the manufacturer offerings.

120. (New) A system for a computerized framework manager to supply collaborative planning comprising:

- (a) a module for providing connections to a network for use by a plurality of business entities, wherein the first and second business entities comprise at least one of service providers, vendors, resellers, and manufacturers;
- (b) a module for receiving information via the network from a first business entity of the plurality of business entities, including information relating to a demand of the first independent business entity for offerings;
- (c) a module for receiving information via the network from a second business entity of the plurality of business entities, including information relating to a supply of offerings from the second business entity;
- (d) a module for analyzing the supply and the demand for the offerings to plan future supply and demand for the offerings;
- (e) a module for using the network to facilitate planning between at least the first business entity and the second business entity;

Art Unit: 3623

- (f) a module for using the network to provide data access from multiple simultaneous data sources for demand and supply planning;
- (g) a module for using the network to store capacity data wherein the step of storing capacity data using the network includes replication and synchronization capabilities; and
- (h) a module for using the network to conduct reverse inventory management between the first business entity and the second business entity, comprising:
  - a module for using a network to collect data relating to usage and events occurring on at least one service provided by at least one service provider;
  - a module for analyzing the data to determine a status of the service;
  - a module for using the status of the service to predict future demand by the service provider for equipment offering supplied by a manufacturer;
  - a module for determining production capacity, inventory, costs and discounts of manufacturer offerings based on the status of the service; and
  - a module for using the network to suggest changes to the manufacturer offerings inventory of at least one manufacturer based on the status of the service in order to optimize supply and costs of the manufacturer offerings.

***Allowable Subject Matter***

2. Claims 118-120 are allowed.

3. The following is an examiner's statement of reasons for allowance:

Logility's i-Community, as disclosed in "Logility Pioneers True Internet Collaboration with i-Community" (dated July 13, 1999) and Bartholomew ("The Infrastructure") discloses a service that provides for collaborative supply chain planning

Art Unit: 3623

(including forecasting, replenishment, and overall inventory planning) among various entities. Logility's i-Community does not expressly conduct reverse inventory management comprising the steps of collecting network data relating to usage and events occurring on at least one service, determining a status of the service, determining production capacity, inventory, costs, and discounts of manufacturer offerings based on the status of the service, and suggesting changes to the manufacturer offerings inventory in order to optimize supply and costs of the offerings. The Examiner submits that, individually, each of these steps is old and well-known in the art of supply chain planning. However, there is no teaching or suggestion in the prior art to combine all of these teachings (those taught by Logility's i-Community in combination with the aforementioned details of the reverse inventory management steps) into one integrated system/method/computer program product. This combination of limitations is recited in claims 118-120; therefore, claims 118-120 are deemed to be allowable over the prior art of record.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susanna M. Diaz whose telephone number is (571) 272-6733. The examiner can normally be reached on Monday-Friday, 10 am - 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Susanna M. Diaz  
Primary Examiner  
Art Unit 3623

January 5, 2006